

PRELIMINARY AMENDMENT A

Replace original claims 1 - 39 with claims 40 - 76 below.

1 40. A business method intended to facilitate flexible terms commodities trading comprising the
2 steps of:

3 providing, upon a web site accessible upon the world wide web, a proposal format in which
4 the type of auction can be specified in addition to the particular commodity, weight, price, and
5 specific commodity category dependent quality characteristics desired by a prospective buyer in
6 completion of a submission for initiating an open bid;

7 providing the option of provision of a model of a particular commodity desired for purposes
8 of indicating the quality desired by a prospective buyer;

9 providing, upon a web site accessible upon the world wide web, a proposal format in which
10 the type of auction can be specified in addition to the particular commodity, weight, price, and
11 specific commodity dependent quality characteristics offered by a prospective seller in completion of
12 a submission for initiating an open offer;

13 providing the option of provision of a sample of a particular commodity desired for purposes
14 of indicating the quality desired by a prospective seller;

15 posting upon said web site a listing for a specified lot of a particular commodity in accordance
16 with a completed proposal submission detailing a plurality of terms including weight, price, quality
17 characteristics, delivery and payment comprising an open offer of said specified lot when initiated by
18 a prospective seller and comprising an open bid of said specified lot when initiated by a prospective
19 buyer;

20 scheduling an auction of said specified lot by posting a plurality of schedule dates including
21 but not restricted to commencement and conclusion dates between which responses to said listing will
22 be received;

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posting upon said web site, in association with said listing, counter bids received in response to an open offer and counter offers received in response to an open bid which vary in any of the terms included in said plurality of terms detailed in said listing;

posting upon said web site, in association with said listing, any offer indications by said prospective seller in response to posted counter bids and any bid indications by said prospective buyer in response to posted counter offers signifying a modification of at least one term in said listing;

indicating upon said web site, in association with said listing, the matching in all said terms between any offer and any bid both concerned with said specified lot.

41. The business method of **claim 40** further including the step of depositing, upon said web site, said listing following indication of the matching in all said terms between any offer and any bid both concerned with said specified lot.

42. The business method of **claim 40** wherein said web site providing said proposal format in which the type of auction can be specified by a prospective buyer in completion of a submission for initiating an open bid is different than said web site providing said proposal format in which the type of auction can be specified by a prospective seller in completion of a submission for initiating an open offer.

43. The business method of **claim 40** wherein said web site providing said proposal format in which the type of auction can be specified by a prospective buyer in completion of a submission for initiating an open bid is the same as said web site providing said proposal format in which the type of auction can be specified by a prospective seller in completion of a submission for initiating an open offer.

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1 **44.** The business method of **claim 40** further including the step of providing notification to
2 subscribers of listings identified by commodity category as being of interest to said subscribers.

4 **45.** The business method of **claim 44** wherein said notification is provided by electronic means
5 inclusive of e-mail.

7 **46.** The business method of **claim 40** wherein said web site providing said proposal format in
8 which the type of auction can be specified by a prospective buyer in completion of a submission for
9 initiating an open bid provides registration access means for registration of said prospective buyer
10 with an auction house maintaining said web site.

12 **47.** The business method of **claim 46** wherein registration of said prospective buyer requires
13 payment of a fee to said auction house by said prospective buyer.

15 **48.** The business method of **claim 40** wherein said web site providing said proposal format in
16 which the type of auction can be specified by a prospective seller in completion of a submission for
17 initiating an open offer provides registration access means for registration of said prospective seller
18 with an auction house maintaining said web site.

20 **49.** The business method of **claim 48** wherein registration of said prospective seller requires
21 payment of a fee to said auction house by said prospective seller.

23 **50.** The business method of **claim 40** wherein said web site providing said proposal format in
24 which the type of auction can be specified by a prospective buyer in completion of a submission for
25 initiating an open bid provides directory access means for accessing a directory comprised of a
26 plurality of commodity categories.

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1 **51.** The business method of **claim 50** wherein an auction house maintaining said web site provides
2 listings pertaining to a particular commodity category chosen from said plurality of commodity
3 categories to said prospective buyer by subscription.

4

5 **52.** The business method of **claim 50** wherein said subscription requires payment of a fee by said
6 prospective buyer to an auction house providing said listings.

7

8 **53.** The business method of **claim 40** wherein said prospective seller, in specification of the type
9 of auction, may choose upward, open, unconstrained bidding wherein said listing specifies an initial
10 minimum price and bidding within the time between said commencement and conclusion dates is
11 otherwise unconstrained with regard to price.

12

13 **54.** The business method of **claim 40** wherein said prospective seller, in specification of the type
14 of auction, may choose upward, incremental, unconstrained bidding wherein said listing specifies an
15 initial minimum price and bidding within the time between said commencement and conclusion dates
16 is otherwise only constrained with regard to price by the progressive increase of the same in
17 predetermined increments.

18

19 **55.** The business method of **claim 54** wherein said predetermined increments constraining said
20 progressive increase of price are a function of time.

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22 **56.** The business method of **claim 54** wherein said predetermined increments constraining said
23 progressive increase of price are a function of the number of responses received.

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1 57. The business method of **claim 40** wherein said prospective seller, in specification of the type
2 of auction, may choose downward, incremental, constrained bidding wherein said listing specifies an
3 initial maximum price and bidding within the time between said commencement and conclusion dates
4 is constrained with regard to price by the progressive decrease of the same in predetermined
5 increments and by a predetermined minimum price which is not posted in said listing.

6
7 58. The business method of **claim 57** wherein said predetermined increments constraining said
8 progressive decrease of price are a function of time.

9
10 59. The business method of **claim 40** wherein said prospective buyer, in specification of the type
11 of auction, may choose downward, open, unconstrained offering wherein said listing specifies an
12 initial maximum price and offering within the time between said commencement and conclusion dates
13 is otherwise unconstrained with regard to price.

14
15 60. The business method of **claim 40** wherein said prospective buyer, in specification of the type
16 of auction, may choose downward, incremental, unconstrained offering wherein said listing specifies
17 an initial maximum price and offering within the time between said commencement and conclusion
18 dates is otherwise only constrained with regard to price by the progressive decrease of the same in
19 predetermined increments.

20
21 61. The business method of **claim 60** wherein said predetermined increments constraining said
22 progressive decrease of price are a function of time.

23
24 62. The business method of **claim 60** wherein said predetermined increments constraining said
25 progressive decrease of price are a function of the number of responses received.

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1 63. The business method of **claim 40** wherein said prospective buyer, in specification of the type
2 of auction, may choose upward, incremental, constrained bidding wherein said listing specifies an
3 initial minimum price and offering within the time between said commencement and conclusion dates
4 is constrained with regard to price by the progressive increase of the same in predetermined
5 increments and by a predetermined maximum price which is not posted in said listing.

6
7 64. The business method of **claim 63** wherein said predetermined increments constraining said
8 progressive increase of price are a function of time.

9
10 65. The business method of **claim 40** wherein said model of a particular commodity is provided
11 by said prospective buyer directly to prospective sellers.

12
13 66. The business method of **claim 40** wherein said model of a particular commodity is provided
14 by said prospective buyer to an auction house maintaining said web site.

15
16 67. The business method of **claim 66** wherein said model of a particular commodity provided by
17 said prospective buyer to said auction house is tested by a laboratory and testing results are posted
18 on said web site in association with said listing.

19
20 68. The business method of **claim 66** wherein said model of a particular commodity provided by
21 said prospective buyer to said auction house is provided to prospective sellers by said auction house.

22
23 69. The business method of **claim 68** wherein said model of a particular commodity provided by
24 said prospective buyer to said auction house is divided proportionally by said auction house in
25 accordance with a number of prospective sellers each of whom is provided a proportion of said model
26 by said auction house.

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1 70. The business method of **claim 68** wherein said model of a particular commodity provided by
2 said prospective buyer to said auction house is comprised of a discrete number of pieces each
3 esteemed by said auction house to possess substantially equivalent quality and prospective sellers are
4 each provided with one said piece of said model by said auction house.

5

6 71. The business method of **claim 40** wherein said sample of a particular commodity is provided
7 by said prospective seller directly to prospective buyers.

8

9 72. The business method of **claim 40** wherein said sample of a particular commodity is provided
10 by said prospective seller to an auction house maintaining said web site.

11

12 73. The business method of **claim 72** wherein said sample of a particular commodity provided
13 by said prospective seller to said auction house is tested by a laboratory and testing results are posted
14 on said web site in association with said listing.

15

16 74. The business method of **claim 72** wherein said sample of a particular commodity provided
17 by said prospective seller to said auction house is provided to prospective buyers by said auction
18 house.

19

20 75. The business method of **claim 74** wherein said sample of a particular commodity provided
21 by said prospective seller to said auction house is divided proportionally by said auction house in
22 accordance with a number of prospective buyers each of whom is provided a proportion of said
23 sample by said auction house.

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1 76. The business method of **claim 74** wherein said sample of a particular commodity provided
2 by said prospective seller to said auction house is comprised of a discrete number of pieces each
3 esteemed by said auction house to possess substantially equivalent quality and prospective buyers are
4 each provided with one said piece of said sample by said auction house.
